

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on January 31, 2011 at 10:00 A.M., in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Terry Murphy, Chair (R)
Sen. Jim Shockley, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Anders Blewett (D)
Sen. Jeff Essmann (R)
Sen. Greg Hinkle (R)
Sen. Rowlie Hutton (R)
Sen. Cliff Larsen (D)
Sen. Lynda Moss (D)
Sen. Jim Peterson (R)
Sen. Chas Vincent (R)

Members Excused: Sen. Larry Jent (D)

Members Absent: None

Staff Present: Valencia Lane, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 170, 1/24/2011; SB 196, 1/24/2011

Executive Action: SB 149-Do Pass

HEARING ON SB 196

Opening Statement by Sponsor:

00:01:37 Sen. Jonathan Windy Boy (D), SD 16, opened the hearing on SB 196, Address bullying in the workplace.

[**EXHIBIT\(jus24a01\)**](#)

Proponents' Testimony:

None

Opponents' Testimony:

00:05:35 E.J. Redding, also for Margaret Morgan, Morgan Consulting, Greater Montana Independent Electrical Contractors (IEC)

[**EXHIBIT\(jus24a02\)**](#)

[**EXHIBIT\(jus24a03\)**](#)

00:06:59 Bob Vogel, Montana School Boards Association (MTSBA)

00:08:32 Cindy Swank, self

[**EXHIBIT\(jus24a04\)**](#)

Informational Testimony:

00:11:42 Ann Gilkey, Office of Public Instruction (OPI), Chief Legal Counsel

Questions from Committee Members and Responses:

None

Closing by Sponsor:

00:12:35 Sen. Windy Boy

HEARING ON SB 170

Opening Statement by Sponsor:

00:14:36 Sen. Jeff Essmann (R), SD 28, opened the hearing on SB 170, Revise medical marijuana laws on obtaining certificate for chronic pain.

[EXHIBIT\(jus24a05\)](#)

Proponents' Testimony:

00:24:45 Mark Long, Executive Director, Montana Narcotics Officers Association (MNOA)

Opponents' Testimony:

00:28:37 Candace Payne, Rimrock Foundation

00:30:26 Sarah Baugh, self

[EXHIBIT\(jus24a06\)](#)

00:33:08 Jim Gingery, Montana Medical Growers Association (MMGA)

[EXHIBIT\(jus24a07\)](#)

00:35:53 Valerie Hellermann, self

[EXHIBIT\(jus24a08\)](#)

00:39:12 Ken Lindeman, self

00:41:17 Grant Grenfell, MMGA

[EXHIBIT\(jus24a09\)](#)

00:42:00 Barb Trego, self

00:45:06 Tom Daubert, Patients and Families United, also for Dr. Edward Stickney

[EXHIBIT\(jus24a10\)](#)

00:51:26 Kate Cholewa, Alliance for Cannabis Science

[EXHIBIT\(jus24a11\)](#)

00:53:55 Jack Wilborn, self

00:59:39 Dennis Gulyas, veteran

01:01:25 Doug Chyatt, Montanans for Responsible Legislation

01:03:46 Amber Cox, self

01:06:24 Michael Gillis, Lewis and Clark Conservative Tea Party

01:07:01 Bruce Scharf, self

01:08:40 Kevin Kirr, self

Informational Testimony:

None

Questions from Committee Members and Responses:

01:10:06 Sen. Larsen

01:10:58 Mr. Daubert

01:15:18 Sen. Shockley

01:16:13 Mr. Daubert

01:19:30 Sen. Hutton

01:21:27 Mr. Long

Closing by Sponsor:

01:22:29 Sen. Essmann

Committee Discussion:

01:26:13 Chairman Murphy

01:27:28 Sen. Shockley

EXECUTIVE ACTION ON SB 149

(Sen. Peterson absent from the room)

01:28:18 **Motion:** Sen. Shockley moved that **SB 149 DO PASS.**

Discussion:

01:29:14 Sen. Moss

01:30:53 Sen. Blewett

01:34:08 Sen. Shockley

01:35:13 Sen. Hutton

01:35:56 Sen. Blewett

01:36:52 Sen. Larsen

01:37:47 Sen. Vincent

01:38:06 Sen. Blewett

01:39:08 **Vote:** Motion carried 8-4 by roll call vote with Sen. Blewett, Sen. Jent, Sen. Larsen and Sen. Moss voting no. Sen. Jent and Sen. Peterson voted by proxy.

ADJOURNMENT

Adjournment: 11:40 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus24aad.pdf](#))